

System Form 149a

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

JEFFREY ALAN ENGLISH : Bankruptcy Case No. 17-22645TPA
DENISE ANN ENGLISH : Chapter 13
Debtor(s) :

PLAN CONFIRMATION ORDER

A It is hereby **ORDERED** that with the consent of the Debtor(s), the Chapter 13 Plans dated July 27, 2017 and February 28, 2018, except as modified herein as checked below, are **CONFIRMED** in accord with *11 USC 1325*. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court. Confirmation of this Plan pursuant to this Order is without prejudice to reconsideration following a status conference held by the Chapter 13 Trustee to gauge the progress of Plan implementation which conference is scheduled for N/A (which may, upon agreement of the Parties, be continued from time to time *provided however* that following the 3rd continuance, the matter shall be set for hearing before the Court), following which time the Plan may be modified to the satisfaction of all Parties after notice and hearing before the Court, or the status conference may be marked closed by the Chapter 13 Trustee.

- ☐ **1.** For the remainder of the Plan term, the periodic Plan payment is to be \$_____ as of _____. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ **2.** The length of the Plan is increased to a total of ____ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- X **3.** Plan terms are subject to the resolution of all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ **4.** The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ **5.** _____ shall be paid monthly payments of \$_____ beginning with the Trustee's _____ distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- X **6.** The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Wells Fargo (Cl 6) pro rata; PA Rev (Cl 1); Kubota (Cl 2) at \$461 per month.
- X **7.** Additional Terms:

Fee application needed, if any fee, including retainer, exceeds \$4,000, including any fees paid to prior counsel.

The secured claim of Santander (Cl 4) shall govern as to claim amount to be paid at modified plan terms at \$443 per month.

The Interim Confirmation Order dated October 12, 2017 at Doc No. 43 and Interim Confirmation Order Dated April 24, 2019 at Doc No. 65 hereby VACATED.

B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

1. Objections to the Plan: This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)(3)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this Confirmed Plan. The Trustee may only disburse funds pursuant to this Confirmation Order upon expiration of the foregoing twenty-eight (28) day period.

2. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

3. Review of Claims Docket and Objections to Claims. Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely..

4. Motions or Complaints Pursuant to §§506, 507, or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

5. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

C IT IS FURTHER ORDERED THAT:

1. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

2. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

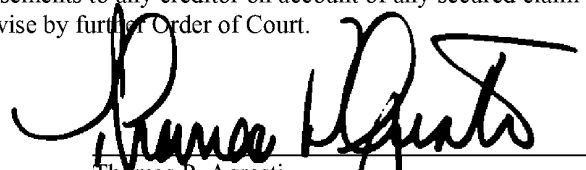
3. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

4. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

5. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.

6. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: September 29, 2020
(Effective Date)


Thomas P. Agresti
United States Bankruptcy Judge **ljm**

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:
Jeffrey Alan English
Denise Ann English
Debtor(s)

Case No. 17-22645-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Sep 29, 2020

User: agro
Form ID: pdf900

Page 1 of 3
Total Noticed: 25

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 01, 2020:

Recip ID	Recipient Name and Address
db/jdb	+ Jeffrey Alan English, Denise Ann English, 7574 Franklin Road, Cranberry twp, PA 16066-2731
r	+ JoAnne Gehm, 20206 Route 19, Cranberry Township, PA 16066-6112
r	+ Michelle Czekalski Bradley, Czekalski Real Estate, Inc., 7574 Franklin Road, Cranberry Township, PA 16066-2731
cr	+ Nationstar Mortgage LLC, et al, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620
cr	+ U.S. BANK NATIONAL ASSOCIATION, Robertson, Anschutz & Schneid, P.L., 6409 Congress Ave., Suite 100, Boca Raton, FL 33487 UNITED STATES 33487-2853
14653435	+ Honda Power Equipment, PO Box 14517, Des Moines, IA 50306-3517
14653436	+ Kubota Credit Corp, PO Box 2313, Carol Stream, IL 60132-2313
14673752	+ Kubota Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
14653437	+ Louis DePaul, Eckert Seamans, 600 Grant Street, Pittsburgh, PA 15219-2788
14653438	++ NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096 address filed with court., Nationstar Mortgage, PO Box 619096, Dallas, TX 75261
14694777	+ Nationstar Mortgage LLC, Attn: Bankruptcy Dept., PO Box 619094, Dallas, TX 75261-9094
14677911	Navient Solutions, LLC. on behalf of, United Student Aid Funds, Inc., Attn: Bankruptcy Litigation Unit E3149, PO Box 9430, Wilkes Barre, PA 18773-9430
14653441	++ STATE COLLECTION SERVICE INC, 2509 S STOUGHTON RD, MADISON WI 53716-3314 address filed with court., State Collection Service, PO Box 6250, Madison, WI 53716
14653440	+ Santanander Consumer USA, PO Box 660633, Dallas, TX 75266-0633
14692197	+ Santander Consumer USA, Inc., P.O. Box 560284, Dallas, TX 75356-0284
14804532	United Student Aid Funds, Inc (USAF), PO Box 8961, Madison WI 53708-8961
14703926	Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438

TOTAL: 17

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	Email/Text: GUARBKe-courtdocs@ascendiumeducation.org	Sep 30 2020 03:38:00	GLHEC & Affiliates: GLHEGC, NELA, USAF, PO Box 8961, Madison, WI 53708
14917767	Email/Text: GUARBKe-courtdocs@ascendiumeducation.org	Sep 30 2020 03:38:00	GLHEC & Aff: GLHEGC, NELA, USAF, PO Box 8961, Madison WI 53708-8961
14732530	Email/PDF: resurgentbknofications@resurgent.com	Sep 30 2020 03:09:54	LVNV Funding, LLC its successors and assigns as, assignee of Roundup Funding L.L.C., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14712004	Email/PDF: resurgentbknofications@resurgent.com	Sep 30 2020 03:09:54	LVNV Funding, LLC its successors and assigns as, assignee of CR Evergreen, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14710616	Email/PDF: pa_dc_claims@navient.com	Sep 30 2020 03:11:37	Navient CFC c/o, Navient Solutions, LLC., PO BOX 9640, Wilkes-Barre, PA 18773-9640
14653439	Email/PDF: pa_dc_claims@navient.com	Sep 30 2020 03:13:23	Navient Solutions, PO Box 13611, Philadelphia, PA 19101
14652740	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com		

District/off: 0315-2

User: agro

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Date Rcvd: Sep 29, 2020

Form ID: pdf900

Total Noticed: 25

		Sep 30 2020 03:13:18	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14655574	Email/Text: RVSVCBICNOTICE1@state.pa.us	Sep 30 2020 03:41:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg PA 17128-0946
14653441	Email/Text: amieg@stcol.com	Sep 30 2020 03:38:00	State Collection Service, PO Box 6250, Madison, WI 53716

TOTAL: 9

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Kubota Credit Corporation
cr		U.S. Bank National Association, as Trustee for SPE
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15250903	*+	Kubota Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
jdb	*+	Denise Ann English, 7574 Franklin Road, Cranberry twp, PA 16066-2731

TOTAL: 2 Undeliverable, 3 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 01, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 29, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor U.S. Bank National Association as Trustee for SPECIALTY UNDERWRITING AND RESIDENTIAL FINANCE TRUST MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2006-BC5 bnicholas@kmlawgroup.com
Bryan P. Keenan	on behalf of Debtor Jeffrey Alan English keenan662@gmail.com melindap662@gmail.com
Bryan P. Keenan	on behalf of Joint Debtor Denise Ann English keenan662@gmail.com melindap662@gmail.com
Keri P. Ebeck	on behalf of Creditor Kubota Credit Corporation kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Kevin Scott Frankel	on behalf of Creditor Nationstar Mortgage LLC et al pabk@logs.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Peter J. Caroff	on behalf of Joint Debtor Denise Ann English pcaroff2@hotmail.com
Peter J. Caroff	on behalf of Debtor Jeffrey Alan English pcaroff2@hotmail.com

District/off: 0315-2

User: agro

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Ronda J. Winnecour

cmechf@chapter13trusteedpa.com

Sindi Mncina

on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION smncina@rascrane.com

TOTAL: 10